



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,889	09/10/2003	Hirokazu Suzu	04995/118001	3207

7590 11/27/2006  
Jonathan P. Osha  
ROSENTHAL & OSHA L.L.P.  
Suite 2800  
1221 McKinney St.  
Houston, TX 77010

EXAMINER
----------

SINARS, JAMES R

ART UNIT	PAPER NUMBER
----------	--------------

2635

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/658,889

Applicant(s)

SUZU, HIROKAZU

Examiner

JAMES R. SINARS

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**SUPERVISORY PATENT EXAMINER**

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless –

- (e) the invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim, U.S. Patent Application 2003/0159146, in view of Cohen-Solal, U.S. Patent Application 2002/0075407. Kim discloses a system that uses a processor to extract and display an electronic program guide (EPG). Cohen-Solal discloses a processor that reduces the size of a picture-in-picture (PIP) based upon cues received by the processor unit.

Re: Claim 1, A television receiver comprising: a receiving section for receiving a television broadcasting signal to extract a signal of a selected channel (Kim, para 0093 – 0095; Fig. 9/810); a display control section for controlling a display section to display selectively one of an image of a program being broadcasted in the channel (Kim, para 0101, Lines 1-6), and a synthesized image composed of the image of the program and an OSD image superposed thereon on the basis of the signal of the selected channel extracted by the

Art Unit: 2635

receiving section (Kim, para 0101, Lines 6-12; Fig. 9/820, 830, 840); a watching reserving section for storing watching reserving information that correlates a watching starting time and a channel with each other (Kim, para 0104, 0110, Fig. 9/880); a watching reserving executing section for selecting the channel correlated with the watching starting time and operating the receiving section when the watching starting time stored in the watching reserving section has come (Kim, para 0074, 0092; Fig. 6/S604,606); and a setting section (Kim, para 0105); wherein the watching reserving executing section has a change instructing function in which when the watching starting time has come and a television broadcasting signal of the channel correlated with the watching starting time has been received by the receiving section, the watching reserving executing section determines whether or not the display control section has caused the display section to display the OSD image (In para 0104, Kim describes how the signal processor (Kim, Fig. 9/840) extracts, digitally converts and stores the programming information in memory. It is inherent in this processing that the controller (Kim, Fig. 9/848) would also maintain the status of whether or not the OSD image is currently being displayed.), and if determines that the OSD image has been displayed, the watching reserving executing section instructs the display control section to change the OSD image into an image of a program based on the television broadcasting signal of the channel (Kim, para 0074, Lines 9-13); when the watching starting time has come and reception of the other channel than the channel correlated with the watching starting time has been executed by the receiving section, the watching reserving

Art Unit: 2635

executing section instructs the display control section to display a synthesized image composed of the image of the program which is broadcasted by the channel being received and message superposed thereon that the watching starting time has come (Kim, para 0074; para 0101, Lines 6-12; Fig. 6/S604, S606. It should be noted that although S606 refers to displaying the message on an LCD, in para 0114 Kim teaches that the EPG information can be directly viewed on a broadcast receiver that contains the EPG function.); the OSD image includes an image based on electronic program guide information contained in the received television broadcasting signal (In para 0097, Kim teaches that the EPG information is extracted from the broadcast signal and is output to the signal processor (Kim, Fig. 9/840). From there it proceeds to the OSD generator (Kim, para 0098, Fig. 9/827) which transmits it in turn to the mixer (Kim, para 0101; Fig. 9/828) and on to the display driver (Kim, para 0101; Fig. 9/829) and display (Kim, para 0101).); and the setting section sets the change instructing function of the watching reserving executing section valid or invalid (Valid/invalid is interpreted to mean on/off which is taught in Kim (para 0061). If the EPG function were integrated into the broadcast receiver (Kim, para 0114), the EPG remote controller would be displayed on a display screen of a broadcasting channel as a virtual remote controller (Kim, Claim 11). It is inherent to also have a hand-held remote unit to turn the EPG function on and off while viewing the virtual controller on the display screen.)

Re: Claim 2, all elements of Claim 2 are contained in Claim 1 and have been analyzed and rejected (See comments w/r to Claim 1.), with the following exception:

“... reduce a display size of the OSD image to a predetermined size”

(Cohen-Solal teaches a certain PIP functionality wherein a processor (Fig. 1/120) analyzes the incoming video data stream being displayed (Cohen-Solal para 0023, Lines 1-4; Fig. 3/330) and based upon various cues, including events (Cohen-Solal para 0014, Lines 6-10) which could inherently include a scheduled program, the processor automatically initiates (Cohen-Solal para 0022, Lines 13-15) the PIP functions of resizing and repositioning the PIP (Cohen-Solal para 0025; Fig. 3/340; Figs. 2B & 2C) to a predetermined position (Cohen-Solal para 0026, Lines 6-9) once the PIP functionality has been turned-on by the user (Cohen-Solal para 0022, Lines 13-15; Fig. 3/320). Since Cohen-Solal specifically teaches moving the PIP to a predetermined position (Cohen-Solal para 0026), then resizing the PIP to a predetermined size would be inherent.

Just as in Kim, where the EPG function was integrated into the broadcast receiver (Kim, para 0114), the PIP processor of Cohen-Solal may also be combined onto a single display device such as a television (Cohen-Solal para 0030, Lines 5-8). )

Re: Claim 3, all the elements of Claim 3 are included in Claim 1 and have been analyzed and rejected. (See comments w/r to Claim 1.)

Art Unit: 2635

Re: Claim 4, all the elements of Claim 4 are included in Claim 2 and have been analyzed and rejected. (See comments w/r to Claim 2.)

Re: Claim 5, all the elements of Claim 5 are included in Claim 1 and have been analyzed and rejected. (See comments w/r to Claim 1.)

Re: Claim 6, all the elements of Claim 6 are included in Claim 2 and have been analyzed and rejected. (See comments w/r to Claim 2.)

Re: Claim 7, all the elements of Claim 7 are included in Claim 1 and have been analyzed and rejected. (See comments w/r to Claim 1.)

Re: Claim 8, all the elements of Claim 8 are included in Claim 2 and have been analyzed and rejected. (See comments w/r to Claim 2.)

Re: Claim 9, all the elements of Claim 9 are included in Claim 1 and have been analyzed and rejected. (See comments w/r to Claim 1.)

Re: Claim 10, all the elements of Claim 10 are included in Claim 2 and have been analyzed and rejected. (See comments w/r to Claim 2.)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. SINARS whose telephone number is 571-270-1191. The examiner can normally be reached on M-F (ALT FRI OFF) 7:30-5:00 EST.

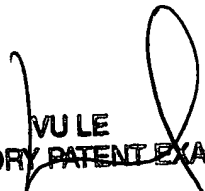
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VU LE can be reached on 571-270-9999. The fax phone

Art Unit: 2635

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James R. Sinars/

  
VU LE  
SUPERVISORY PATENT EXAMINER